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7 Attorney for Stephen Cunningham

8
9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 STEPHEN CUNNINGHAM,

15 Defendant.

Case No. 2:16-cr-00129-GMN-VCF
Case No. 2:13-cr-00396-APG-VCF

**STIPULATION TO CONSOLIDATE
REVOCATION CASES**

(First Request)

16
17 IT IS HEREBY STIPULATED AND AGREED, by and between Nicholas A.
18 Trutanich, United States Attorney, and Christopher Burton, Assistant United States Attorney,
19 counsel for the United States of America, and Rene L. Valladares, Federal Public Defender,
20 and Monique Kirtley, Assistant Federal Public Defender, counsel for Stephen Cunningham,
21 jointly move the Court to consolidate the above captioned cases under a single case number,
22 preferably 2:13-cr-00396-APG-VCF.

23 This Stipulation to Continue and Consolidate cases is entered into for the following
24 reasons:
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26

1 1. The petitions for revocation of supervised release 2:16-cr-00129-GMN-VCF
2 (ECF No. 50) and 2:13-cr-00396-APG-VCF (ECF No. 59) and the sealed addendums allege
3 the same violation conduct.

4 2. On September 12, 2019, Mr. Cunningham admitted to violating paragraphs 1,
5 2 and 3 of the revocation petition in case 2:16-cr-00129-GMN-VCF (ECF No. 50) and in case
6 2:13-cr-00396-APG-VCF (ECF No. 59). Disposition and sentencing was deferred for up to six
7 months. The sealed addendums are still pending and have not been addressed.

8 3. The revocation of supervised release hearing in case 2:16-cr-0129-GMN-VCF
9 is scheduled for October 14, 2020 at 9:00 am before Judge Navarro.

10 4. The revocation of supervised release hearing in case 2:13-cr-00396-APG-VCF
11 is scheduled for October 27, 2020 at 11:30 am before Judge Gordon.

12 5. Because the exact same conduct is alleged in both revocation petitions, the
13 revocation cases should be consolidated. Additionally, the interest of judicial economy and
14 efficiency would be served by joining the matter.

15 6. The parties respectfully request that Mr. Cunningham's supervised release
16 hearing before Judge Navarro be vacated and reset before Judge Gordon.

17 DATED this 2nd day of October 2020.

18
19 RENE L. VALLADARES
20 Federal Public Defender

 NICHOLAS TRUTANICH
 United States Attorney

21 /s/ Monique Kirtley
22 By _____

 /s/ Christopher Burton
 By _____

23 MONIQUE KIRTLEY
24 Assistant Federal Public Defender

 CHRISTOPHER BURTON
 Assistant United States Attorney

1 **UNITED STATES DISTRICT COURT**

2 **DISTRICT OF NEVADA**

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 STEPHEN CUNNINGHAM,

7 Defendant.

Case No. 2:16-cr-00129-GMN-VCF

Case No. 2:13-cr-00396-APG-VCF

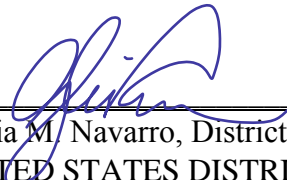
PROPOSED ORDER

8 **ORDER**

9
10 IT IS ORDERED that the two cases 2:16-cr-00129-GMN-VCF and 2:13-cr-00396-
11 APG-VCF be consolidated and combined before the honorable Judge Andrew P. Gordon.

12 IT IS FURTHER ORDERED that the Revocation Hearing currently scheduled for
13 October 14, 2020, at the hour of 9:00 a.m. before Judge Gloria M. Navarro, be vacated and
14 reset to October 27, 2020 at the hour of 11:30 a.m. before Judge Andrew P. Gordon.

15 Dated this 5 day of October, 2020.

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18 _____
Gloria M. Navarro, District Judge
UNITED STATES DISTRICT COURT